

Message Text

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ORIGIN PM-04

INFO OCT-01 NEA-10 ISO-00 ERDA-05 ACDA-07 OMB-01
CIAE-00 H-01 INR-07 L-03 NSAE-00 NSC-05 PA-01
PRS-01 SP-02 SS-15 USIE-00 INRE-00 NSCE-00 SSO-00
/063 R

DRAFTED BY OPNAV616:DFSTUMBAUGH:JMM
APPROVED BY PM/ISP:DCGOMPERT
PM/ISP - CAPT GROSE
L/PM - MR. ORLINS
NEA/IAI - MR. ANDERSON
NEA/RA - MR. PADELFORD

-----202358Z 114781 /63

O R 202229Z MAY 77
FM SECSTATE WASHDC
TO AMEMBASSY TEL AVIV IMMEDIATE
INFO SECDEF
CNO
CINCUSNAVEUR
USDAO TEL AVIV ISRAEL
COMSIXFLT
CTF SIX NINE
COMNAVSEASYSCOM
USS BLUE FISH

C O N F I D E N T I A L STATE 117025

E.O. 11652: GDS

TAGS: MNUC, MARR, IS

SUBJECT: NUCLEAR POWERED WARSHIP (NPW) PORT VISITS

REF: (A) USDAO TEL AVIV 190840Z MAY 77 PASEP, (B) USDAO
TEL AVIV 121038Z MAY 77 PASEP, (C) CNO 132100Z MAY 77
PASEP, (D) CNO 132314Z AUG 76 NOTAL, (E) NAVSEASYSCOM
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REPORT NT 76-1 AUG 76, (F) USDAO TEL AVIV 201054Z MAY 77
PASEP

1. SUMMARY. EMBASSY IS AUTHORIZED TO DELIVER TO GOI COPY
OF U.S. STANDARD STATEMENT, PUBLIC LAW 93-513 AND JOINT
COMMITTEE ON ATOMIC ENERGY (JCAE) REPORT. IN ADDITION,
TALKING POINTS ARE PROVIDED IN RESPONSE TO SPECIFIC

GUARANTEES DESIRED BY GOI ATOMIC ENERGY AUTHORITIES
(REFTEL A). END SUMMARY.

2. REFTEL B ADVISED OF QUESTIONS ASKED BY ISRAEL ATOMIC ENERGY AUTHORITIES REGARDING REACTOR AND REACTOR SAFETY FOR PENDING SSN BLUEFISH PORT VISIT. REFTEL C PROVIDED GUIDANCE FOR RESPONDING TO THESE QUESTIONS INCLUDING PROVISION OF NAVY REPORT ON WORLDWIDE PERFORMANCE OF U.S. NAVAL NUCLEAR PROPULSION PROGRAM ON THE HANDLING OF RADIOACTIVE WASTE. REFTEL A REPORTED THAT ISRAELI ATOMIC ENERGY AUTHORITIES NOW WANT SPECIFIC GUARANTEES THAT NO RADIOACTIVE MATERIAL WILL BE DISCHARGED FROM BLUEFISH, THAT BLUEFISH WILL FOLLOW SAME PROCEDURES THAT ARE FOLLOWED IN U.S. PORTS AND THAT SHOULD DAMAGE OCCUR FROM BLUEFISH RADIOACTIVITY THE USG WOULD TAKE FULL RESPONSIBILITY.

3. IN VIEW OF THIS REQUEST, WE BELIEVE IT IS TIME TO PRESENT TO GOI THE "STATEMENT BY THE UNITED STATES GOVERNMENT ON OPERATION OF U.S. NUCLEAR POWERED WARSHIPS IN FOREIGN PORTS" (THE U.S. STANDARD STATEMENT) AND A COPY OF PL 93-513 WITH ACCOMPANYING JCAE REPORT WHICH RESPONDS TO THE QUESTIONS RAISED IN REFTEL A. THE USE OF THESE DOCUMENTS AND THE PART THEY PLAY IN OUR APPROACH TO NPW PORT ENTRY IS SET FORTH IN REFTEL D. COPIES OF THESE DOCUMENTS WERE SENT TO USDAO TEL AVIV IN AUGUST OF 1976.

4. EMBASSY IS AUTHORIZED TO PRESENT U.S. STANDARD STATEMENT, PL 93-513 AND ACCOMPANYING JCAE REPORT TO GOI AT
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LEVEL YOU DEEM APPROPRIATE. IN PRESENTING THESE DOCUMENTS YOU SHOULD REFER TO QUESTIONS BEING RAISED BY ISRAELI ATOMIC ENERGY AUTHORITIES AND DRAW ON THE FOLLOWING TALKING POINTS.

A. FIRST ISSUE OF REFTEL A ON DISCHARGE OF RADIOACTIVE WASTE IS ADDRESSED BY ASSURANCE OF PARA 2A OF STANDARD STATEMENT. FOR ADDITIONAL ENVIRONMENTAL ASPECTS AND SAFETY RECORD EMBASSY CAN REFER TO REF E WHICH IS HELD BY USDAO AND GUIDANCE PROVIDED PARA 3 OF REFTEL C.

B. U.S. STANDARD STATEMENT PROVIDES COMPREHENSIVE ASSURANCES, BASED ON THE INTEGRITY OF THE UNITED STATES GOVERNMENT, THAT THE REACTOR SAFETY ASPECTS OF DESIGN, CREW TRAINING AND OPERATING PROCEDURES OF THE NAVAL NUCLEAR PROPULSION PLANTS MEET STRINGENT CONTROLS AND STANDARDS APPROVED BY THE RESPONSIBLE U.S. REGULATORY AGENCIES. THE STATEMENT CERTIFIES THAT OPERATIONS IN FOREIGN PORTS ARE CONDUCTED IN STRICT ACCORDANCE WITH ALL SAFETY PRECAUTIONS

AND PROCEDURES FOLLOWED IN U.S. PORTS FOR THE PROTECTION OF THE PUBLIC. THIS ANSWERS SECOND ISSUE CITED REFTEL A.

C. IN ADDITION TO THE STANDARD STATEMENT ASSURANCES, PUBLIC LAW 93-513, ENACTED ON DECEMBER 6, 1974, ELABORATES ON THE CLAIMS PROVISION CONTAINED IN PARAGRAPH 3 OF THE STATEMENT AND ANSWERS THIRD ISSUE OF REFTEL A.

(1) THE NEW LAW PROVIDES THAT THE VALIDITY (OR MERIT) OF ANY CLAIM ARISING OUT OF A NUCLEAR POWERED WARSHIP REACTOR INCIDENT WILL BE DECIDED BY THE UNITED STATES ON THE BASIS OF ABSOLUTE (NO-FAULT) LIABILITY. THIS PRINCIPLE WILL BE APPLIED EVEN THOUGH THE HOST COUNTRY DOES NOT HAVE ANY RELEVANT LEGISLATION ON THE SUBJECT.

(2) THIS LEGISLATION IS TANGIBLE EVIDENCE THAT THE UNITED STATES IS PREPARED TO SETTLE MERITORIOUS CLAIMS FOR CONFIDENTIAL

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NUCLEAR REACTOR RELATED DAMAGE INVOLVING ITS NUCLEAR POWERED WARSHIPS, PROMPTLY AND ON A FAIR AND EQUITABLE BASIS.

(3) THIS LEGISLATION ONLY CLARIFIES THE U.S. POSITION AND WAS NOT MEANT TO SUGGEST IN ANY WAY THE UNITED STATES CONSIDERS A NUCLEAR POWERED WARSHIP REACTOR ACCIDENT EVEN REMOTELY POSSIBLE. WITH ENACTMENT OF PL 93-513, COUNTRIES WHO GRANT PORT ENTRY TO U.S. NPW HAVE BOTH POLITICAL AND STATUTORY ASSURANCES REGARDING HOW THE U.S. WILL DEAL WITH NPW REACTOR ACCIDENT CLAIMS.

5. FYI. THESE UNILATERAL ASSURANCES ARE NOT SUBJECT TO NEGOTIATION AND ARE THE ONLY ONES WE PROVIDE TO HOST COUNTRIES IN CONJUNCTION WITH NPW PORT ENTRY. THEY ARE PRESENTED ONLY WHEN SAFETY/LIABILITY ISSUES ARE RAISED BY THE HOST COUNTRY; HOWEVER, THEY ARE IN EFFECT FOR ALL VISITS TO ALL COUNTRIES. THUS THE ASSURANCES CITED IN THE STANDARD STATEMENT AND PL 93-513 WERE IN EFFECT FOR PREVIOUS NPW VISIT TO ISRAEL JUST AS THEY WILL BE FOR BLUEFISH VISIT. END FYI.

CHRISTOPHER

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: BRIEFING MATERIALS, NUCLEAR SAFEGUARDS, BLUEFISH SSN, NUCLEAR POWERED SHIPS, PORT CALLS
Control Number: n/a
Copy: SINGLE
Sent Date: 20-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE117025
Document Source: CORE
Document Unique ID: 00
Drafter: DFSTUMBAUGH:JMM
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770180-1091
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770533/aaaabcjd.tel
Line Count: 162
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Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: d1fac58c-c288-dd11-92da-001cc4696bcc
Office: ORIGIN PM
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
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Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2426985
Secure: OPEN
Status: NATIVE
Subject: NUCLEAR POWERED WARSHIP (NPW) PORT VISITS
TAGS: MNUC, MARR, IS
To: TEL AVIV
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/d1fac58c-c288-dd11-92da-001cc4696bcc
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